

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID GARCIA,

Defendant.

8:23–CR–38

**ADOPTION OF MAGISTRATE
JUDGE’S FINDINGS AND
RECOMMENDATION ON PLEA OF
GUILTY**

This matter is before the Court on the magistrate judge’s Findings and Recommendation, Filing 27, recommending that the Court accept Defendant’s plea of guilty. There are no objections to the findings and recommendation. Pursuant to [28 U.S.C. § 636\(b\)\(1\)\(C\)](#) and [NECrimR 11.2\(d\)](#), the Court has conducted a de novo review of the record and adopts the Findings and Recommendation of the magistrate judge.

IT IS ORDERED:

1. The magistrate judge’s Findings and Recommendation, Filing 27, is adopted;
2. The defendant is found guilty. The plea is accepted. The Court finds that the plea of guilty is knowing, intelligent, and voluntary, and that a factual basis exists for the plea;
3. The Court defers acceptance of any plea agreement until it has reviewed the presentence report, pursuant to [Fed. R. Crim. P. 11\(c\)\(3\)](#); and
4. This case shall proceed to sentencing.

Dated this 20th day of June, 2023.

BY THE COURT:



Brian C. Buescher
United States District Judge